

**Iowa Department of Natural Resources
Natural Resource Commission**

ITEM

14

DECISION

TOPIC

Final Rule - Chapter 45, Boat Motor Regulations

The Commission is asked to amend Chapter 45, "Boat Motor Regulations," Iowa Administrative Code. This amendment was requested by the Adams County Conservation Board to eliminate the existing rule requirement for a 300 horsepower limit for motor boats on Lake Icaria in Adams County. Modern boats have higher horsepower rating (greater than 300) and as a result, the existing horsepower limit has restricted many of the recently manufactured boats from legal use/access to Lake Icaria.

No comments were received during the comment period and no changes were made from the rule published with the Notice of Intended Action.

Lowell Joslin, Law Enforcement Bureau Chief
Conservation and Recreation Division
November 13, 2008

NATURAL RESOURCE COMMISSION[571]

Adopted and Filed

Pursuant to the authority of Iowa Code sections 455A.5(6), the Natural Resource Commission hereby amends Chapter 45, "Boat Motor Regulations," Iowa Administrative Code.

This amendment is requested by the Adams County Conservation Board to eliminate the existing rule restriction of a 300 horsepower limit for motor boats on Lake Icaria in Adams County. Many modern boats have higher horsepower ratings (greater than 300) than older manufactured boats and, as a result, the existing horsepower limit has become outdated and is restricting many of the recently manufactured boats from legal use/access to Lake Icaria.

Notice of Intended Action was published in the Iowa Administrative Bulletin on October 8, 2008, as ARC 7217B. A public hearing was held on October 28, 2008. No comments were received during the comment period or at the hearing. No changes were made to the Notice of Intended Action.

This amendment is intended to implement Iowa Code section 462A.3.

The following amendment will become effective January 21, 2009.

The following amendment is adopted.

Amend subrule 45.4(3), paragraph "b," as follows:

b. Lake Icaria, Adams County – motorboats of inboard/outdrive type ~~with power not to exceed 300 horsepower~~. Vessels must be operated at a no-wake speed when within 50 feet of another vessel which is not underway or is operating at a no-wake speed. Additional speed and distance regulations apply as established in 571—40.20(462A).

Date

Richard A. Leopold, Director